



U.S. Department of Justice

United States  
Southern District of New York86 Chambers Street  
New York, New York 10007-1312

USDC SDNY

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February 7, 2024

VIA ECF

Hon. Analisa Torres  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007-1312

**Re: *Ideanomics Inc. and Matthew Fogel v. U.S. Citizenship and Immigration Services, No. 23 Civ. 10698 (AT)***

Dear Judge Torres:

This Office represents the government in this action, in which plaintiffs seek judicial review of the denial by U.S. Citizenship and Immigration Services (“USCIS”) of a Form I-140, Immigrant Petition for Alien Worker, that plaintiff Ideanomics Inc. filed on behalf of plaintiff Matthew Fogel. I write respectfully to request an adjournment of the parties’ obligation to submit a joint letter and case management plan by February 9, 2024 (ECF No. 7).

The government respectfully requests this adjournment because USCIS intends to reopen the Form I-140 in question and issue a new Request for Evidence (“RFE”). Plaintiffs will then have the opportunity to respond to that RFE, and USCIS will review plaintiffs’ submission and consider next steps, which may include adjudicatory steps that could moot this action. The parties will continue to discuss how to best proceed in this matter and propose that they provide the Court with a status update by March 11, 2024, which is the government’s current deadline to respond to the complaint. This is the government’s first request for an adjournment of the parties’ obligation to submit a joint letter and case management plan. Plaintiffs consent to this request.

I thank the Court for its consideration of this letter.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

GRANTED.

SO ORDERED.

Dated: February 8, 2024  
New York, New York

ANALISA TORRES  
United States District Judge